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April 30, 2014

The Honorable Jocelyn Boyd
Chief Clerk of the Commission
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: Application of Cricket Communications, Incorporated d/b/a Cricket Wireless
(f/k/a Hargray Wireless, LLC) for Designation as an Eligible Telecommunications
Carrier under 47 U.S.C. 214 (e) (2)
Docket No. 2003-227-C

Dear Ms. Boyd:

Enclosed for filing is AT&T South Carolina's Petition to Relinquish High-Cost ETC
Designation in the above-referenced matter.

By copy of this letter, I am serving all parties of record with a copy of this pleading as
indicated on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink that reads "Patrick W. Turner". The signature is written in a cursive, flowing style.

Patrick W. Turner

PWT/nml
Enclosure

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

Application of Cricket Communications, Incorporated)	
d/b/a Cricket Wireless (f/k/a Hargray Wireless, LLC))	DOCKET NO. 2003-227-C
for Designation as an Eligible Telecommunications Carrier)	
under 47 U.S.C. 214 (e) (2))	

PETITION TO RELINQUISH HIGH-COST ETC DESIGNATION

Cricket¹ respectfully petitions the Commission for relinquishment of its designation as an Eligible Telecommunications Carrier (“ETC”) authorized to receive high-cost support from the federal Universal Service Fund for use in Beaufort, Hampton, and Jasper counties – Cricket does not at this time seek to relinquish its designation as an ETC authorized to receive support from the federal Universal Service Fund for Lifeline-only purposes in these counties.² Each area in which Cricket seeks to relinquish this high-cost ETC designation is served by an incumbent local exchange provider (“ILEC”) that is designated as an ETC and by at least one other service provider that is designated as an ETC, and the federal Telecommunications Act of 1996 provides that the Commission “shall permit [Cricket] to relinquish its [ETC] designation . . . in any area served by more than one [ETC].”³ To the best of Cricket’s knowledge, existing facilities are sufficient to ensure that all customers served by Cricket will continue to be served upon the relinquishment of this ETC designation. In fact, Cricket itself has no current plans to stop

¹ Cricket Communications, Inc. On March 13, 2014, Cricket became a wholly-owned, indirect subsidiary of AT&T Inc. *See* FCC’s Memorandum Opinion and Order, *In re: Applications of Cricket License Company, LLC et. al., Leap Wireless International, Inc., and AT&T Inc. for Consent to Transfer Control of Authorizations*, WT Docket No. 13-192 (Rel. March 13, 2014).

² Similarly, Cricket does not at this time seek to relinquish its separate designation as an ETC for Lifeline-only purposes in Berkley, Charleston, Colleton, Dorchester, Lancaster, and York counties.

³ 47 U.S.C. §214(e)(4)(emphasis added). *See also* 47 C.F.R. § 54.205.

providing service in these areas, but only to stop drawing federal high-cost support for doing so. Cricket, therefore, respectfully requests that the Commission issue an order granting this relinquishment as quickly as possible so Cricket can avoid the administrative burden and expense associated with compiling and submitting an ETC Annual Report in June 2014.⁴

In support of this Petition, Cricket respectfully avers:

1. Cricket is licensed by the Federal Communications Commission (“FCC”) to provide commercial mobile radio service (“CMRS”) in South Carolina.

2. In 2007, the Commission entered an Order designating Hargray Wireless, LLC (“Hargray”) as an ETC authorized to receive support from the federal Universal Service Fund for use within Hargray’s licensed service area in South Carolina, which includes some or all of Beaufort, Hampton, and Jasper counties as specified in the Order and its Exhibits.⁵

3. In 2008, the Commission was notified of the merger of Hargray into Cricket and that the “support funds available to Hargray . . . as a result of its designation as an [ETC] will continue to be utilized by [Cricket] for the authorized purposes after the merger.”⁶

4. Since the merger of Hargray into Cricket, Cricket has filed ETC Annual Reports in compliance with Commission Regulation 103-690.1.B.⁷

5. Cricket now wishes to relinquish the high-cost ETC designation granted by Order No. 2007-804. At this time, Cricket does not seek to relinquish its designation as an ETC authorized to receive support from the federal Universal Service Fund for Lifeline-only purposes

⁴ See, e.g., Commission Regulation 103-690.1.B.a.

⁵ See Order Designating Hargray Wireless, LLC as an Eligible Telecommunications Carrier, *In Re: Application of Hargray Wireless, LLC for Designation as an Eligible Telecommunications Carrier under 47 U.S.C. 214(e)(2)*, Order No. 2007-804 in Docket No. 2003-227-C (November 14, 2007).

⁶ See October 31, 2008 Letter filed in Docket No. 2003-227-C.

⁷ See, e.g., June 30, 2009 Annual Report of Cricket Communications, Inc. (f/k/a Hargray Wireless, LLC) as an Eligible Telecommunications Carrier, Docket No. 2003-227-C.

in these counties, and it does not seek to relinquish its separate designation as an ETC for Lifeline-only purposes in Berkley, Charleston, Colleton, Dorchester, Lancaster, and York counties.⁸

6. Exhibit A to this Petition identifies: the wire centers impacted by the relinquishment of Cricket's high-cost ETC designation; and the ILECs designated as ETCs that serve those wire centers.

7. Exhibit B to this Petition identifies other (non-ILEC) ETCs that provide service in at least part of Cricket's designated high-cost ETC service area.

8. In pertinent part, the federal Telecommunications Act of 1996 provides that:

A State commission . . . *shall permit an [ETC] to relinquish its designation* as such a carrier *in any area served by more than one [ETC]*. An [ETC] that seeks to relinquish its [ETC] designation for an area served by more than one [ETC] shall give advance notice to the State commission . . . of such relinquishment. Prior to permitting a telecommunications carrier designated as an [ETC] to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission . . . shall require the remaining [ETCs] to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining [ETC].⁹

9. The relevant FCC rule essentially reiterates the same requirements and states, in pertinent part, that a "state commission shall permit" an ETC to "relinquish its designation as such a carrier in any area served by more than one [ETC]."¹⁰ The FCC rule further provides that the ETC "shall give advance notice to the state commission of such relinquishment," the state commissions must ensure that the relinquishing ETC's customers will be served by the

⁸ See Order Granting ETC Status for Lifeline and Linkup Support from the Federal Universal Service Fund, *In re: Application of Cricket Communications, Incorporated for Designation as an Eligible Telecommunications Carrier*, Order No. 2010-475 in Docket No. 2010-21-C (July 28, 2010).

⁹ 47 U.S.C. §214(e)(4)(emphasis added).

¹⁰ 47 C.F.R. § 54.205(a).

remaining ETC(s), and the state commission must ensure sufficient notice to permit the purchase and construction of facilities if necessary.¹¹

10. Because at least one other ETC (in addition to Cricket) serves all areas in which Cricket is currently designated as a high-cost ETC, applicable federal law requires the Commission to permit Cricket to relinquish its high-cost ETC designation.

11. To the best of Cricket's knowledge, upon relinquishment of Cricket's high-cost ETC designation, each of the wire centers identified in Exhibit A will continue to be served by the ILEC ETC identified in Exhibit A.

12. To the best of Cricket's knowledge, upon relinquishment of Cricket's high-cost ETC designation, each of non-ILEC ETCs identified in Exhibit B will continue to provide service in at least part of Cricket's designated high-cost ETC service area.

13. Additionally, Cricket has no current plans to stop providing service in these areas, but only to stop drawing federal high-cost support for doing so.

14. No purchase or construction of facilities by any remaining ETC is necessary, because existing facilities are sufficient to ensure that all customers served by Cricket will continue to be served. Accordingly, "notice to permit the purchase or construction of adequate facilities by any remaining [ETC]" is neither necessary nor appropriate.

CONCLUSION

For the foregoing reasons, Cricket respectfully requests that the Commission issue an order as quickly as possible granting relinquishment the high-cost ETC designation granted by Order No. 2007-804. Cricket further requests that the order expressly provide that Cricket is not, at this time, relinquishing its designation as an ETC authorized to receive support from the

¹¹ *Id.*, § 54.205(a) and (b).

federal Universal Service Fund for Lifeline-only purposes in these areas address by Order No. 2007-804.

Respectfully submitted this 30th day of April 2014.

A handwritten signature in black ink, appearing to read "Patrick W. Turner", written over a horizontal line.

Patrick W. Turner
Suite 5200
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ATTORNEY FOR CRICKET
COMMUNICATIONS, INC.

EXHIBIT A to Cricket's Petition to Relinquish High-Cost ETC Designation
Docket No. 2003-227-C

Wire Center (CLLI)

Impacted by Cricket's

Relinquishment of High-Cost

ETC Designation

ILEC ETC Serving the Wire Center

YMSSCCX	Frontier Communications of the Carolinas Inc.
HLHDSCXA	Hargray Telephone Company, Inc.
HLHDSCXB	Hargray Telephone Company, Inc.
HLHDSCXC	Hargray Telephone Company, Inc.
HRVLSCXA	Hargray Telephone Company, Inc.
BFTNSCCA	Bluffton Telephone Company, Inc.
BFTNSCXA	Bluffton Telephone Company, Inc.
BUFTSCXA	United Telephone Company of the Carolinas d/b/a CenturyLink
ESTLSCXA	United Telephone Company of the Carolinas d/b/a CenturyLink
HMPNSCXA	United Telephone Company of the Carolinas d/b/a CenturyLink
LRBYSCXA	United Telephone Company of the Carolinas d/b/a CenturyLink
LWCNSCAA	United Telephone Company of the Carolinas d/b/a CenturyLink
RDLSCXA	United Telephone Company of the Carolinas d/b/a CenturyLink
STHLSCXA	United Telephone Company of the Carolinas d/b/a CenturyLink

EXHIBIT B to Cricket's Petition to Relinquish High-Cost ETC Designation
Docket No. 2003-227-C

ETC Service Area Impacted by Cricket's Relinquishment of High-Cost ETC Designation (by Study Area)	Non-ILEC ETC Serving the Area (Not an exhaustive list)
249012	Safelink Wireless Inc .
249013	Assurance Wireless of SC LLC
249014	I-wireless LLC
249017	Budget Prepay Inc. d/b/a Budget Phone d/b/a Budget Mobile
249018	Global Connection Inc. of America d/b/a/ Stand Up Wireless
249019	Boomerang Wireless LLC d/b/a enTouch Wireless
249021	Telrite Corporation d/b/a Life Wireless
249022	TAG Mobile LLC
249023	Palmetto Telephone Communicaitons LLC
249024	Blue Jay Wireless LLC
249025	QLink Wireless LLC
249026	Tempo Telecom LLC

CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, LLC. d/b/a AT&T South Carolina (“AT&T”) and that she has caused a Petition to Relinquish High-Cost ETC Designation in Docket No. 2003-227-C to be served upon the following on April 30, 2014:

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(Electronic Mail)

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Jocelyn G. Boyd, Esquire
Chief Clerk
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(Electronic Mail)

STATE OF SOUTH CAROLINA

)

COUNTY OF RICHLAND

)

CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, LLC. d/b/a AT&T South Carolina ("AT&T") and that she has caused a Petition to Relinquish High-Cost ETC Designation in Docket No. 2003-227-C to be served upon the following on April 30, 2014:

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Nyla M. Laney

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